

**AFFIDAVIT**

I, Bryan J. Allen, a Task Force Officer with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

1. I have been employed as a Canton Police Officer for approximately twenty two years, and am currently assigned to the Cleveland Division, Canton Resident Agency's Child Exploitation Task Force. While employed by the Canton Police Department and assigned to the FBI, I have assisted in the investigation of federal criminal violations related to Violent Crimes and the FBI's Innocent Images National Initiative, which investigates matters involving the online sexual exploitation of children. I have gained experience through training at the FBI's Innocent Images National Initiative training center and everyday work related to conducting these types of investigations.

2. As a task force officer having received a Special Deputation from the United States Marshal's Office, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. As will be shown below, there is probable cause to believe that Ernest Nelson has used, persuaded, induced, enticed, or coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the visual depiction was produced or transmitted using materials that have been mailed, shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a). I am submitting this affidavit in support of an arrest warrant authorizing the arrest of Ernest Nelson, 526 Bedford Ave NW, Canton, Ohio 44708.

4. On August 5, 2017 TFO Bryan J. Allen of the FBI Innocent Images Initiative Task Force (IINITF), was contacted by Detective Joseph Mongold of the Canton Police Department.

5. Detective Mongold advised affiant that on August 4, 2017 he was notified of a report being taken at the Canton Police Department in reference to the production of child pornography involving a cellular phone belonging to Ernest Nelson as identified in paragraph 3.

6. Detective Mongold stated two cellular phones, including a ZTE cellular phone, were turned into police headquarters by a complainant. The complainant stated the phones were given to him to charge by Ernest Nelson. The complainant stated he looked at the cellular phones and observed pictures and videos depicting child pornography. One of the videos described by the complainant depicted a prepubescent female being digitally penetrated.

7. On August 4, 2017 Ernest Neslon was brought to the Canton Police Department in reference to charges unrelated to this investigation. The two phone, referenced in paragraph 6, were shown to Nelson. He confirmed that they were both his phones. Nelson provided written consent to search the two cellular phones. Nelson also provided consent to search a micro sd card that was located on his person. Detective Mongold reviewed the devices and, on the ZTE cellular phone, observed the video of the Nelson digitally penetrating the vagina of the prepubescent female. A label on the ZTE cellular phone indicates that it was made in China.

8. On August 5, 2017 Ernest Nelson was advised of his rights, declined legal counsel, and was interviewed by Detective Mongold.

9. Nelson admitted to Detective Mongold that he was the person in the video penetrating the prepubescent female. Nelson produced the video of himself as he digitally penetrated the prepubescent female. He identified the prepubescent female and stated the video was taken at the female's home. He stated it was approximately two months ago while he was at the family's residence.

10. On August 7, 2017 affiant and Detective Mongold interviewed the parents of the prepubescent female. The parents provided affiant and Detective Mongold with the name and age of their 5 year-old daughter, which was the same as the information provided by Nelson. They stated they reside on Bedford Avenue N.W. in Canton, Ohio. They stated Nelson was a friend of the family and was present at their home on July 4, 2017 when they believe this incident occurred.

### **CONCLUSION**

12. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that Ernest Nelson did use, persuade, induce, entice, or coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the visual depiction was produced or transmitted using materials that have been mailed, shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2251(a).



Bryan J. Allen  
Task Force Officer  
Federal Bureau of Investigation

Sworn and subscribed before me this 8th day August, 2017.



Kathleen B. Burke  
UNITED STATES MAGISTRATE JUDGE